

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GARY H. RAGAN, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

APPHARVEST, INC., JONATHAN WEBB,
and LOREN EGGLETON,

Defendants.

Case No. 1:21-cv-07985 (LJL)

PLYMOUTH COUNTY RETIREMENT
ASSOCATION, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

APPHARVEST, INC. f/k/a NOVUS
CAPITAL CORPORATION, JONATHAN
WEBB, and LOREN EGGLETON,

Defendants.

Case No. 1:21-cv-09676

**NOTICE OF MOTION OF PLYMOUTH COUNTY RETIREMENT ASSOCIATION
FOR CONSOLIDATION, APPOINTMENT AS LEAD PLAINTIFF
AND APPROVAL OF SELECTION OF LEAD COUNSEL**

TO: THE CLERK OF THE COURT, ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that movant Plymouth County Retirement Association (“Movant”) respectfully moves this Court for an order: (1) consolidating the above-captioned cases; (2) appointing Movant as Lead Plaintiff pursuant to §21D of the Securities Exchange Act of 1934, as amended by the Private Securities Litigation Reform Act of 1995 (the “PSLRA”); and (3) approving Movant’s selection of Scott+Scott Attorneys at Law LLP as Lead Counsel for the Class.

This motion is based on this Notice and the Memorandum of Law filed herewith, the Declaration of Thomas L. Laughlin, IV in support thereof, including Exhibits 1-5, and the Court’s complete files and records in this action, as well as such further argument as the Court may allow at a hearing on this motion.

DATED: November 23, 2021

SCOTT+SCOTT ATTORNEYS AT LAW LLP

s/ Thomas L. Laughlin, IV

Thomas L. Laughlin, IV

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Counsel for Proposed Lead Plaintiff Plymouth County Retirement Association and Proposed Lead Counsel for the Class

CERTIFICATE OF SERVICE

I hereby certify that on November 23, 2021, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

s/ Thomas L. Laughlin, IV
Thomas L. Laughlin, IV